

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO *et al.*,

Debtors.¹

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: PROMESA
: Title III
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: Case No. 17-BK-3283 (LTS)
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: (Jointly Administered)
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**VERIFIED STATEMENT OF INTERNATIONAL UNION, UNITED AUTOMOBILE,
AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA
(UAW) PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 2019**

International Union, United Automobile, Aerospace and Agricultural Implement
Workers of America (UAW) (the “UAW”) states as follows:

1. The UAW submits that Rule 2019 of the Federal Rules of Bankruptcy
Procedure does not require UAW to file this Statement. Nevertheless, the UAW is filing this
Statement out of an abundance of caution, and in doing so, the UAW is not waiving, and is
instead expressly reserving, its position that a Rule 2019 statement on its part is not required
either by Rule 2019 or this Court’s June 8, 2020 *Twelfth Amended Notice, Case Management
and Administrative Procedures* order [Docket No. 13383-1].

¹ The Debtors in these title III cases, along with each Debtor’s respective title III case number listed as a
bankruptcy case number due to software limitations and the last four (4) digits of each Debtor’s federal tax
identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17
BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481), (ii) Employees Retirement System of the
Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last
Four Digits of Federal Tax ID: 9686), (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808), and (iv) Puerto Rico
Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284) (Last Four Digits of
Federal Tax ID: 8474).

2. The UAW is an international labor union that represents more than 400,000 public-sector and private-sector employees in the United States, Puerto Rico and Canada. The UAW's disclosable economic interests against the Title III Debtors are set forth herein.

3. The UAW is acting in these Title III proceedings on behalf of its affiliated locals in Puerto Rico and its members employed by the Title III Debtors. The UAW, together with these affiliated local unions, are collective bargaining representatives for more than 4,000 of their members employed by the Title III Debtors. The UAW and its affiliated local unions are also parties to collective bargaining agreements ("CBAs") governing their members' terms and conditions of employment with the Title III Debtors.

4. The UAW asserts the following categories of disclosable economic interests against the Title III Debtors on behalf of itself, its affiliated local unions, and those employees of the Title III Debtors with respect to whom the UAW and these affiliates serve as collective bargaining representatives: (1) against the Commonwealth of Puerto Rico ("Commonwealth"): grievances, grievance settlements and arbitration awards related to breach of the CBAs and/or applicable labor and employment laws (presently estimated to be in the aggregate magnitude of between \$1 million and \$10 million), and (2) against the Commonwealth and against the Employee Retirement System: accrued pension obligations (in the aggregate magnitude of greater than \$10 million) due, *inter alia*, under the laws of the Commonwealth and the terms of the Title III Debtors' various employee benefit plans, whether or not those plans are subject to any CBA. To the extent the UAW, its affiliated local unions and/or the aforementioned individual employee-members are due payment of any amount(s) under any CBA to which the UAW is a party, or are due any other performance under any of these CBAs, the UAW notes that none of these CBAs have been rejected under PROMESA or Section 365 of

the Bankruptcy Code, and that the Title III Debtors have so far indicated that they will not seek rejection of any CBA to which the UAW is a party. Therefore, the UAW submits that absent any such rejection, all payments and performance under its CBAs will “be binding on the debtor even after a discharge is granted. The nondebtor party’s [UAW’s] claim will therefore survive the bankruptcy proceeding.” *NLRB v. Bildisco & Bildisco*, 465 U.S. 513, 546 n. 12 (1984) (citations omitted).

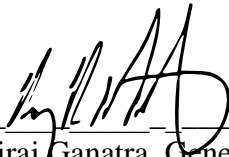
5. Other than those described in the preceding paragraph, the UAW does not assert any disclosable economic interests of its own against any of the Title III Debtors.

6. The UAW has had the disclosable economic interests described above on May 9, 2019 and on the date of this filing.

7. The UAW reserves the right to amend this Statement.

8. The undersigned, Niraj Ganatra, General Counsel of the UAW, hereby verifies that this Statement is true and accurate to the best of his knowledge, information, and belief.

Executed this 25th day of June 2020



Niraj Ganatra, General Counsel
International Union, United Automobile,
Aerospace and Agricultural Implement Workers
of America (UAW)
8000 East Jefferson Avenue
Detroit, Michigan 48214

Dated: June 25, 2020

Respectfully submitted,

/s/ ***Peter D. DeChiara***

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 26th day of June 2020, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will notify all counsel of record and caused to be mailed or emailed a copy, as provided in the Case Management and Administrative Procedures order in this case.

/s/ ***Marie B. Hahn***

Marie B. Hahn